

AGENDA DOCUMENT NO. 03-35

MINUTES OF AN OPEN MEETING  
OF THE  
FEDERAL ELECTION COMMISSION

THURSDAY, MAY 8, 2003

PRESENT: Ellen L. Weintraub, Chair, Presiding  
Bradley A. Smith, Vice Chairman  
David M. Mason, Commissioner  
Scott E. Thomas, Commissioner  
Michael E. Toner, Commissioner  
James A. Pehrkon, Staff Director  
Lawrence H. Norton, General Counsel  
Mary W. Dove, Secretary

Chair Ellen L. Weintraub called the Federal Election Commission to order in an open meeting at 10:06 A.M. on Thursday, May 8, 2003, with a quorum present.

I. CORRECTION AND APPROVAL OF MINUTES

- A. Minutes for April 24, 2003  
Agenda Document No. 03-31
- B. Minutes for May 1, 2003  
Agenda Document No. 03-32

Chair Weintraub recognized Vice Chairman Smith, who

MOVED to approve the Minutes for the open meetings of Thursday, April 24, and Thursday, May 1, 2003, as set forth in Agenda Documents No. 03-31 and No. 03-32, respectively.

The motion carried on the vote of 5-0 with Commissioners Mason, Smith, Thomas, Toner, and Weintraub voting affirmatively.

II. DRAFT ADVISORY OPINION 2003-06

Public Service Enterprise Group, Inc.  
by counsel, Bobby R. Burchfield

Agenda Document No. 03-29

Chair Weintraub recognized Ms. Dawn Odrowski of the General Counsel's Office who presented draft Advisory Opinion 2003-06 concerning the application of the Federal Election Campaign Act of 1971, as amended ("the Act"), and Commission regulations to the proposed transfer of payroll deduction authorizations by restricted class employees to an affiliated separate segregated fund. During her presentation, Ms. Odrowski noted an amendment on Page 1, Line 10, by changing the word "Services" to "Service."

II. DRAFT ADVISORY OPINION 2003-06  
(continued)

The Chair recognized Vice Chairman Smith, who

MOVED to approve draft Advisory  
Opinion 2003-06, as submitted in  
Agenda Document No. 03-29, subject  
to the amendment noted above.

The motion carried on the vote of 5-0 with  
Commissioners Mason, Smith, Thomas, Toner, and Weintraub  
voting affirmatively.

III. ROUTINE ADMINISTRATIVE MATTERS

Proposed Commission Rulemaking Calendar

Agenda Document No. 03-33 (Submitted late)

Chair Weintraub recognized Vice Chairman Smith,  
who

MOVED to suspend the rules on  
the timely submission of agenda  
documents in order to consider  
Agenda Document No. 03-33.

III. ROUTINE ADMINISTRATIVE MATTERS (continued)

Proposed Commission Rulemaking Calendar  
(continued)

The motion carried on the vote of 5-0 with Commissioners Mason, Smith, Thomas, Toner, and Weintraub voting affirmatively.

There was a discussion of the subject document, which extended the public comment period on the notice of proposed rulemaking on public financing of presidential candidates and nominating conventions to May 23, 2003, and subsequently holding a hearing on the proposed rules on June 6, 2003.

Chair Weintraub recognized Commissioner Toner, who

MOVED to approve the proposed rulemaking calendar, as set forth in Agenda Document No. 03-33.

The motion carried on the vote of 5-0 with Commissioners Mason, Smith, Thomas, Toner, and Weintraub voting affirmatively.

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There being no further business to come before  
the Commission, the meeting adjourned at 10:15 A.M.

Signed:

Ellen L. Weintraub  
Chair

Attest:

Mary W. Dove  
Secretary